

EXHIBIT 1

Rice, Jordan

From: Ruskusky, John
Sent: Saturday, March 1, 2025 1:09 PM
To: Michael D. Cerulo
Cc: Jacob Sappington; Matthew Reh; Hill, Brian
Subject: RE: Oliver and Company et al v. Zamber et al

Mike – Following up on our prior communications. We plan to update the Court on Monday if the Operating Agreement still has not been provided.

John

From: Ruskusky, John
Sent: Friday, February 28, 2025 6:23 AM
To: 'Michael D. Cerulo' <mcerulo@batyotto.com>
Cc: Jacob Sappington <jsappington@batyotto.com>; Matthew Reh <mreh@atlpl.com>; Hill, Brian <bhill@nixonpeabody.com>
Subject: RE: Oliver and Company et al v. Zamber et al

Mike – Thank you. Considering the request has been pending for some time, and is a simple one to address, the Operating Agreement and/or documents identifying the LLC members should be produced today.

John

From: Michael D. Cerulo <mcerulo@batyotto.com>
Sent: Thursday, February 27, 2025 2:38 PM
To: Ruskusky, John <jtruskusky@nixonpeabody.com>
Cc: Jacob Sappington <jsappington@batyotto.com>; Matthew Reh <mreh@atlpl.com>; Hill, Brian <bhill@nixonpeabody.com>; Hill, Brian <bhill@nixonpeabody.com>
Subject: Re: Oliver and Company et al v. Zamber et al

Acknowledging your email. I will follow up with you shortly.

Sent from my iPhone

On Feb 26, 2025, at 5:57 PM, Ruskusky, John <jtruskusky@nixonpeabody.com> wrote:

CyTek Corporation

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Mike – I am following up on the emails below and our conversation yesterday. It should be a simple matter to forward the Operating Agreement/signed documents referenced below. Thank you.

John

From: Ruskusky, John <jtruskusky@nixonpeabody.com>
Sent: Tuesday, February 25, 2025 8:38 AM
To: Michael D. Cerulo <mcerulo@batyotto.com>; Jacob Sappington <jsappington@batyotto.com>
Cc: Matthew Reh <mreh@atllp.com>; Hill, Brian <bhill@nixonpeabody.com>
Subject: RE: Oliver and Company et al v. Zamber et al

Michael – the affidavits of service are attached. We will look for your update this morning on the Operating Agreement/signed documents referenced below. Thank you.

John

From: Ruskusky, John
Sent: Monday, February 24, 2025 7:07 PM
To: 'Michael D. Cerulo' <mcerulo@batyotto.com>; Jacob Sappington <jsappington@batyotto.com>
Cc: 'Matthew Reh' <mreh@atllp.com>; Hill, Brian <bhill@nixonpeabody.com>
Subject: RE: Oliver and Company et al v. Zamber et al

Michael – Nice to meet you. As Brian noted, Mr. Cosby was served (my recollection is on February 3) and we will forward the corresponding documents. Service took place after Mr. Cosby ignored our request that he accept and waive service. Nonetheless, we will work with you on a reasonable responsive pleading date. We plan to proceed with Plaintiff's pending motion for expedited discovery (which he also was sent even though he previously was served) and additional motion practice in the interim.

For the motion for expedited discovery, in advance of the Court hearing tomorrow, we again encourage your client to produce a copy of the Operating Agreement for Visionary PE GP I, LLC or such other signed documents that identify the members of this LLC. We understand that Dr. Zamber and Mr. Cosby are the only two members of Visionary Fund Manager, LLC. This documentation should be readily available and is not confidential, and we expect that your client would prefer to address this in advance of the hearing.

John



John T. Ruskusky

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From: Michael D. Cerulo <mcerulo@batyotto.com>

Sent: Monday, February 24, 2025 4:41 PM

To: Hill, Brian <bhill@nixonpeabody.com>

Cc: Ruskusky, John <jtruskusky@nixonpeabody.com>; Jacob Sappington <jsappington@batyotto.com>

Subject: Oliver and Company et al v. Zamber et al

[EXTERNAL E-MAIL]

Be Aware of Links and Attachments

Good afternoon:

Brian-thanks for speaking with me this afternoon. As we discussed, my firm has been retained to represent Mr. Cosby in this matter. You advised that you believe he had been served and agreed to forward me a copy of the return of service. Thank you for that.

We also discussed the sufficiency of service in light of the amendments to your clients' Complaint. As I noted, I am authorized to waive service of the Second Amended Complaint under Rule 4(d). You indicated you would speak with your clients but were amenable to working with us on the timing of Mr. Cosby's responsive pleading. We can discuss this further tomorrow following the status conference.

Thank you for your courtesies and we look forward to working with you.

MICHAEL D. CERULO

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